

JUL 24 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

COLLARD & ROE
1077 NORTHERN BOULEVARD
ROSLYN, NY 11576-1696

In re Application of	:	DECISION ON
WOLF et al.	:	
Application No.: 09/786,163	:	
PCT No.: PCT/DE99/02956	:	DECLARATION
Int. Filing Date: 10 September 1999	:	
Priority Date: 11 September 1998	:	
Attorney Docket No.: WOLF, D. ET AL-1 PCT	:	
For: METHOD FOR PRODUCING ACTION AND/OR	:	
SELECTIVE SOLID CATALYSTS FROM INORGANIC OR:	:	
ORGANOMETALLIC MATERIALS	:	

This is a decision on a declaration filed by applicants on 28 February 2001 in the United States Patent and Trademark Office (USPTO) in the above referenced application.

BACKGROUND

On 10 September 1999, applicants filed international application PCT/DE99/02956, which claimed priority of an earlier German application filed 11 September 1998. On 23 March 2000, a copy of the international application was transmitted to then USPTO by the International Bureau.

On 06 April 2000, a Demand was filed with the International Preliminary Examining Authority electing the United States (U.S.). The election was made prior to the expiration of 19 months from the priority date, and as a result the deadline for entry into the national stage in the U.S. was extended to expire 30 months from the priority date, i.e. 11 March 2001.

On 28 February 2001, applicants filed a transmittal letter for entry into the national stage in the United States which was accompanied by, *inter alia*,: the basic national fee and an executed declaration.

DISCUSSION

The international application indicated that the inventors/applicants for the United States of America included Olga Buyevskaya as a named joint inventor. However, the

States of America included Olga Buyevskaya as a named joint inventor. However, the declaration submitted on 28 February 2001 was signed by Olga Buyevskaya Gerlach and the other named inventors and is unacceptable at this time.

A Petition under 37 CFR 1.182 to change the name of the inventor Olga Buyevskaya must be filed requesting that the name of inventor be changed to Olga Buyevskaya Gerlach. Under MPEP Section 605.04(c) , "the petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order". A \$130 petition fee is required.

CONCLUSION

The declaration submitted on 28 February 2001 is unacceptable.

A petition under 37 CFR 1.182 requesting a change in inventor's name, from Olga Buyevskaya to Olga Buyevskaya Gerlach, is required along with the appropriate petition fee.

The application will be held in the PCT Legal Office to await a proper response. A proper response must be filed within ONE (1) MONTH from the mail date of this decision. Extensions of time may be obtained under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to the Assistant Commissioner for Patents, Box PCT, Washington, DC 20231, and address the contents of the letter to the attention of the PCT Legal Office.



Richard R. Cole
Legal Examiner
PCT Legal Office



Cynthia M. Kratz
Attorney Advisor
PCT Legal Office

CMK/RRC:cmk

Telephone: (703) 306-5467
Facsimile: (703) 308-6459